

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

In re:) Chapter 11
)
EASTERN LIVESTOCK CO., LLC,) Case No. 10-93904-BHL-11
)
Debtor.)

MOTION TO COMPROMISE AND SETTLE
AND NOTICE OF OBJECTION DEADLINE
(Thoreson Enterprises)

James A. Knauer, as chapter 11 trustee (the "Trustee") for Eastern Livestock Co., LLC (the "Debtor"), hereby moves the Court, pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure, to approve the compromise and settlement entered into between the Trustee and Thoreson Enterprises ("Thoreson"). In support thereof, the Trustee states as follows:

1. The Trustee has concluded that Thoreson received not less than \$430,942.15 in transfers from the Debtor (collectively, the "Transfers"). On March 15, 2012, the Trustee made demand on Thoreson for avoidance and recovery of the Transfers (the "Preference Claim") and offered to settle the Preference Claim in the sum of \$53,288.91, representing Thoreson's Estimated Net Exposure¹ as calculated by the Trustee.
2. Subsequent to March 15, 2012, Thoreson has provided information to the Trustee that arguably reduces Thoreson's Estimated Net Exposure to \$1,064.83. To avoid the cost, expense, and delay of litigation, Thoreson is willing to make immediate payment of \$500.00 (the "Settlement Amount") in satisfaction of the Preference Claim.

NOTICE IS GIVEN that any objection must be filed with the Bankruptcy Clerk within **21 days** from date of service (February 1, 2013). Those not required or not permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail, or in person at:

Clerk, U.S. Bankruptcy Court
110 U.S. Courthouse
121 W. Spring St.
New Albany, IN 47150

¹ Capitalized terms not otherwise defined herein shall have the meaning set forth in the Motion To Approve Compromise And Settlement With Thoreson Enterprises Pursuant To Rule 9019.

The objecting party must ensure delivery of the objection to the party filing the motion. **If an objection is NOT timely filed, the requested relief may be granted.**

WHEREFORE, the Trustee moves the Court for an order approving the compromise and settlement as filed in this matter.

FAEGRE BAKER DANIELS LLP

By: /s/ Wendy W. Ponader

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